### Express Label No. EV 298923475 US

7

PTO/SB/96 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S.Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	STATEMENT UNDER 37 CF	FR 3.73(b)
Applicant/Patent Owner: ARNTZ	ZEN, Charles J., et al.	
Application No./Patent No.: Cont	of 09/816,846 Fil	ed/Issue Date: March 23, 2001
Entitled: VACCINES EXPRESSED	O IN PLANTS	
PRODIGENE, INC.	, a_Corporation	
(Name of Assignee)		corporation, partnership, university, government agency, etc.)
states that it is:		
1. Let the assignee of the entire rig		
2. an assignee of less than the The extent (by, percentage)	e entire right, title and interest. of its ownership interest is	%
in the patent application/patent ide	ntified above by virtue of either	er:
	States Patent and Trademark	on/patent identified above. The assignment Office at Reel, Frame, or for
OR		
B. [v] A chain of title from the inve	entor(s), of the patent applicati	on/patent identified above, to the current
1. From: Charles	J. Arntzen To:	Terramed, Inc.
		atent and Trademark Office at for which a copy thereof is attached.
2. From: Dominic	Man-Kit LamTo:	Terramed, Inc.
The document was red Reel8763, I	corded in the United States Pa Frame, or	atent and Trademark Office at for which a copy thereof is attached.
3. From: Terrra	med, IncTo:	Prodigene, Inc.
The document was red	corded in the United States Pa	atent and Trademark Office at for which a copy thereof is attached.
[ ] Additional documents	in the chain of title are listed o	on a supplemental sheet.
	ne original assignment docum ent Division in accordance with	e are attached. ent or a true copy of the original document) a 37 CFR Part 3, if the assignment is to be
The undersigned (whose title is sup	plied below) is authorized to a	act on behalf of the assignee.
12/11/13	HEIDI S	SEASE NEBEL
Date	- Jud	Typed or printed name
	Attorney	y, Reg. No. 37,719
		Title

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Charles Joel Arntzen

Dominic Man-Kit Lam

**GROUP NO.:** 

SERIAL NO.:

08/479:742

**EXAMINER:** 

FILED:

June 7, 1995

FOR:

Vaccines Expressed in Plants

Attorney Docket No.: 1621-00206

Date: August 22, 1996

### TRANSMITTAL OF COMBINED DECLARATION AND POWER OF ATTORNEY OF CHARLES J. ARNTZEN

**Assistant Commissioner for Patents** Washington, DC 20231

Sir:

Transmitted herewith for filing in the above-identified matter is a Combined Declaration and Power of Attorney signed by Charles J. Arntzen, with a copy of the specification, claims, drawings and preliminary amendment attached. By this filing, Dr. Arntzen joins in the prosecution of this application, as provided under 37 C.F.R. § 1.47(b).

Applicants believe that no fee is due as a result of filing this paper. If the Commissioner deems that a fee is owing, please charge the same to Deposit Account No. 03-2769 of Conley, Rose & Tayon, P.C., Houston, Texas.

Respectfully submitted,

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Posta Service on the date shown below with sufficient postage as First Class Petents, Washington, D.C. 20231.

C. STEWN (Printed name-of person mailing paper)

(Signature of person mailing paper)

C. Steven McDaniel Reg. No. 33,962

Conley, Rose & Tayon, P.C.

P. O. Box 3267

Houston, Texas 77253-3267

(713) 238-8010 Fax (713) 238-8008

ATTORNEY FOR APPLICANTS

# COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIPI

			CONTIN	UATION	OR CIPI			<u>.</u>		
As a below na	med inv	rentòr, I hereby	declare t	hat:						
• /	•	:	TYPE O	F DECLAI	RATION		:	•	•	
The declaration	n is of t	he following ty	/pe: (che	ck one ap	plicable	item bel	ow)			
	$\boxtimes$	original								
		design								
•		supplemental		• •					-	•
NOTE:	If the de	claration is for an l lication, do <u>not</u> ch	nternational neck next ite	Application m; check a	being filed ppropriete	l as a divisi one of las	onel, conti Cthree item	nuetion d ns.	r continu	ıation-in-
		national state	of PCT							
NOTE:		of the following 3 IUATION OR CIP.	items epply	, then com	plete and	also ettec	h ADDED	PAGES I	FOR DIV	ISIONAL,
	⊠.	di dalaani								
		divisional continuation	•							•
	⊠ ⊠	continuation-	in-nart (C	IP)						
•		•	VENTORS		mer AT	TON:		. *		
		IN	VENTURS	אור וטבוי	i i i rica i	ION			٠.	
WARNING:	If the is	nventors are each hip of all the claim	not the inv is at the tim	ventors of a	all the clai laimed inve	ims, en ex ention wes	planation . made, sh	of the fa	cts, incl ubmitte	uding the
the original, f	irst and Iral nam	fice address and sole inventor es are listed be nation entitled:	(if only o	ne name	is listed	i below)	or an c	riginal,	first a	ind joint
			TITLE	OF INVE	NOITM			•	•	
		VA	CCINES E	XPRESS	ED IN PL	ANTS				
		SF	PECIFICAT	TION IDE	NTIFICA	TION.			•	
The specificat	 tion of v	which: (comple	te (a), (b)	or (c)	•					
(a) 🔯	is atta	ched hereto								
(b) 🗆	was f	iled on .	·	8s	☐ Seria	al No. O_	<u> </u>	· .	_ or 🛭	Express
٠.	Mail N	lo., as Serial N	o. not yet	known			·	and w	ras.am	euqeq ou
•			<u> </u>	·	(if app	olicable).				
<i>NOTE:</i>	accord	iments filed after t ed a filing date by iled with the applic g matter not enco	being refer cation paper	red to in the	cese of a	tion. Acco supplemen	ordingly, th tel declar	e amend tion, are	lments it those e	nvolved er mendment:

(c)	was d	described and claimed in PCT International Application No	o filed on
	if any		
	ACKNO	OWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF	CANDOR
l he	ereby stat n, includir	te that I have reviewed and understand the contents ing the claims, as amended by any amendment referred t	of the above-identified o above.
lac	knowledg	ge the duty to disclose information	
		which is material to patentability as defined in 37, Code § 1.56	e of Federal Regulations,
	•	(also check the following items, if desired)	
	<b>\(\omega</b>	and which is material to the examination of the information where there is a substantial likelihood that would consider it important in deciding whether to issue as a patent, and  in compliance with this duty there is attached a statement in accordance with 37 CFR 1.98.	t a reasonable examiner allow the application to
		PRIORITY CLAIM (35 U.S.C. § 119)	
application at least on below any application	(s) for pate e country foreign (s) design	m foreign priority benefits under Title 35, United States Cottent or inventor's certificate or of any PCT international at other than the United States of America listed below application(s) for patent or inventor's certificate or nating at least one country other than the United States of natter having a filing date before that of the application	and have also identified any PCT international of America filed by me on
_		(complete (d) or (e))	·
(d) □ ··(e) 図		uch applications have been filed.  applications have been filed as follows.	
NOTE:	Where	e item Icl is entered above and the International Application which de ty check item (e), enter the details below and make the priority claim.	signated the U.S. itself claimed
•		ALLEY HALL & CO.	MONTHE

# A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			☐ YES NO ☐
•	•		☐ YES NO ☐
			☐ YES NO ☐

## ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

4 March 1994

PCT/US94/02332

	•			•	:	
this	epplication entering the	United States as	from the filing dete of this applic (1) the netional state, or (2) a co OMBINED DECLARATION AND F venefit of the prior U.S. or PCT a	POWER OF ATT	ORNEY FOR DIVISI	ONAL,
		POW	ER OF ATTORNEY	•		
i he transact al registration	ll business in the	following atto Patent and T	rney(s) and/or agent(s) to rademark Office connec	o prosecute ted therewit	this application th. <i>(List name</i>	n and e <i>and</i>
Ke Mid Sh Bru	d L. Conley vin L. Daffer chael F. Heim awn Hunter uce Noël Kivlin Steven McDaniel	19,204 35,146 32,702 36,168 33,929 33,962	Gregory L. Maag Eric B. Meyertons Leslie V. Payne David A. Rose Jeffrey W. Tayon Marcella W. Watkins	32,363 34,876 P38,267 26,223 30,717 36,962		
		(check the f	following item, if applicab	le)		
	Attached as particular above-named	part of this de attorney(s) to	claration and power of at accept and follow instru	ttorney is the	e authorization my representat	of the uve(s).
SEND CO	RRESPONDENCE T	0		•	LEPHONE CAU	
C. Steven Conley, Re P.O. Box	ose & Tayon, P.C.	•		C. Stever (713) 23	n McDaniel B-8010	
	Texas 77253-3267	,	,	•	:	

#### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, r both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application r any patent issued thereon.

BEST AVAILABLE COPY

### SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

CHARLES	, JOEL	ARNTZEN
POIVEN NAME	DIMIDOLE INITIAL OR NAME	FAMILY FOR LAST NAME
	( lento	;·
nventor's signature:		
Date:	Country of C	itizenship: U.S.A
Residence: The Woodlan	ds, Texas	
Post Office Address: <u>58 Br</u>	idgeberry, The Woodlands, Tex	cas 77381
		·
	• • •	
Full name of second joint inver	ntor, if any:	
	26421 7777	T 434
DOMINIC	MAN-KIT	LAM
(GIVEN NUNCE)	pLEDDLE DITTAL OR NAVE)	FAMILY (OR LAST MAKE)
Inventor's signature:		
Inventor's signature:		
		izenship: <u>U.S.</u> A.
Inventor's signature:	Country of Citi	
Inventor's signature:	Country of Citi	izenship: U.S.A.
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citi	
Inventor's signature:  Date:  Residence:The Woodlar  Post Office Address: _9 Wed	Country of Citinds, Texas  gewood Glen, The Woodlands	
Inventor's signature:  Date:  Residence:The Woodla	Country of Citinds, Texas  gewood Glen, The Woodlands	
Inventor's signature:  Date:  Residence:The Woodlar  Post Office Address: _9 Wed	Country of Citinds, Texas  gewood Glen, The Woodlands	
Inventor's signature:  Date:  Residence:The Woodlaw  Post Office Address: _9 Wed  Full name of third joint invent	Country of Citinds, Texas  gewood Glen, The Woodlands	
Inventor's signature:  Date:  Residence:The Woodlar  Post Office Address: _9 Wed	Country of Citings, Texas  gewood Glen, The Woodlands  # * *	, Texas 77381 .
Inventor's signature:  Date:  Residence: The Woodlan  Post Office Address: 9 Wed  Full name of third joint invent	Country of Citings, Texas  gewood Glen, The Woodlands  # * *	, Texas 77381 .
Inventor's signature:  Date:  Residence: The Woodlan  Post Office Address: 9 Wed  Full name of third joint invent  GIVEN HULL  Inventor's signature:	Country of Citionds, Texas  gewood Glen, The Woodlands  tor, if any:	EMILY (OR LAST MIND)
Inventor's signature:  Date:  Residence:The Woodlaw  Post Office Address: _9 Wed  Full name of third joint invent	Country of Citionds, Texas  gewood Gien, The Woodlands  tor, if any:	, Texas 77381 .
Inventor's signature:  Date:  Residence: The Woodlan  Post Office Address: 9 Wed  Full name of third joint invent  GIVEN HULL  Inventor's signature:	Country of Citionds, Texas  gewood Gien, The Woodlands  tor, if any:	EMILY (OR LAST MIND)

### CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for f urth and subsequent joint inventors. Number of pages added:
	<b>* * *</b>
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	• • • • • • • • • • • • • • • • • • •
	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added
	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).
Ø	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.
	Number of pages added 1
	<b>**</b> *
	Authorization of attorney(s) to accept and follow instructions from representative.
	***
٠.	(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)
	☐ This declaration ends with this page.

Attorn /s Docket No.: 1560-00206

# COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

	CONTINUATION OR CIPI	·
As a below nar	med inventor, I hereby declare that:	•
	TYPE OF DECLARATION	
The declaration	n is of the following type: (check one applicable item belo	w)
	☐ design	
	supplemental	
NOTE:	If the declaration is for an International Application being filed as a division part application, do not check next item; check appropriate one of last	nal, continuation or continuation in- three items.
	national state of PCT	
NOTE:	: If one of the following 3 items apply, then complete and also attach	ADDED PAGES FOR DIVISIONAL,
•	CONTINUATION OR CIP.	•
	☑ divisional	
•	continuation	
	Continuation-in-part (CIP)	
	INVENTORSHIP IDENTIFICATION	
WARNING:	If the inventors are each not the inventors of all the claims, an exp ownership of all the claims at the time the last claimed invention was	made, should be submitted.
the original, f	, post office address and citizenship are as stated below ne first and sole inventor (if only one name is listed below) ural names are listed below) of the subject matter which is c the invention entitled:	or an original, first and joint
	TITLE OF INVENTION	
	VACCINES EXPRESSED IN PLANTS	
	SPECIFICATION IDENTIFICATION	
" The specifica	ation of which: (complete fa), (b) or (c)	And the second s
(a) 🗆	is attached hereto	
(b) 🖾	was filed on June 7, 1995 as Serial No. 08/47.  Preliminary Amendment filed concurrently therewith.	9,742 and was amended by
NOTE:	Amendments filed after the original papers are deposited with the Processor of a filing date by being referred to in the declaration. Accounties filed with the application papers or, in the case of a supplement claiming matter not encompassed in the original statement of inventions.	tal declaration, are those emendments

			$\mathcal{N}(f)$	·
(c) 🗆	was desc	cribed and claimed in PCT Inter	rnational Application No	filed on
	<del></del>	and as ame	nded under PCT Article	19 n
	if any).	•		
		•		
		LEDGMENT OF REVIEW OF PA		• •
l her pecification	reby state t , including t	that I have reviewed and und the claims, as amended by any	derstand the contents amendment referred to	of the above-identified on above.
l ack	nowledge t	he duty to disclose information	1	
		which is material to patentabilit	y as defined in 37, Code	of Federal Regulations,
		(also check the following	items, if desired)	
	i	and which is material to the information where there is a so would consider it important in its as a patent, and in compliance with this statement in accordance	ubstantial likelihood than n_deciding whether to a duty there is attached a	t a reasonable examiner
•		PRIORITY CLAIM (35	U.S.C. § 119)	
application(s at least one below any application(s	s) for patent country ot foreign ap s) designati	preign priority benefits under Tr or inventor's certificate or of her than the United States of plication(s) for patent or in- ng at least one country other the er having a filing date before	any PCT international a America listed below ventor's certificate or han the United States o	pplication(s) designating and have also identified any PCT international famerica filed by me on
		language (d	l or fall	
(J) []		(complete (d) applications have been filed.	7 01 (67)	
(d) □ (e) ☑		plications have been filed as f	ollows.	•
NOTE:	Where its	m (c) is entered above and the interneck item (e), enter the details below	ational Application which de	signated the U.S. itself claimed
		R FOREIGN/PCT APPLICATION	-	MONTHS
	. (6	6 MONTHS FOR DESIGN) PRIC AND ANY PRIORITY CLAIMS	OR TO THIS APPLICATI	ON
INDI	ITRY (OR CATE IF	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
				☐ YES NO ☐

☐ YES

O YES

ио □

ио □

## ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

	<u> </u>		CII 1334		
•					
			:		•
this application	n entering the	United States as	from the filing date of this applie (1) the national state, or (2) a co COMBINED DECLARATION AND benefit of the prior U.S. or PCT	POWER OF ATTORN	IEY FOR DIVISIONAL,
		POV	VER OF ATTORNEY		
I hereby appropriate the least of the least	ess in the l	ollowing atto Patent and 1	orney(s) and/or agent(s) t Frademark Office connec	to prosecute thing the contract	s application and (List name and
Ned L. Cor Kevin L. Da Michael F. Shawn Hu Bruce Noë C. Steven	affer Heim nter Kivlin	19,204 35,146 32,702 36,168 33,929 33,962	Gregory L. Maag Eric B. Meyertons Leslie V. Payne David A. Rose Jeffrey W. Tayon Marcella W. Watkins	32,363 34,876 P38,267 26,223 30,717 36,962	
		(check the	following item, if applicat	ole)	
At ds	tached as p ove-named	art of this de attorney(s) to	eclaration and power of a ccept and follow instr	ttorney is the au uctions from my	nthorization of the representative(s)
SEND CORRESPO	NDENCE TO	<u> </u>		· ·	HONE CALLS TO telephone number
C. Steven McDan Conley, Rose & T P.O. Box 3267 Houston, Texas 7	ayon, P.C.			C. Steven M (713) 238-8	

#### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine r imprisonment, r both, under Section 1001 f Title 18 of the United States Code, and that such willful false statements may jeopardize the validity f the application or any patent issued thereon.

יי) סד

PAGE 16

AUG-09-1995 12:30

ALM CONLEY ROSE & THYON

914097633431

#### EICHATUREISI

NOTE: Complete bedience the facility for lasti name on it should appear on the sting receipt and all other dedocted.

Buil name of sale or first inventor:	•	• •
CHARLES	PEDDLE BUTTAL OF BANKE	ARRYTE LAST KANS
Invernor's eightetures	:	
Dete:		Cidrenality: U.S.A
Residence: The Wondlends, Texas		
Post Office Address:ER Bridgeberry	. The Woodlands. Te	жол 77861
		•
	• • •	·
Full name of second joint lavenue, if envi		•
DOMENIC	MAN-KUT	LAM
FERRIT NUMBER	ANDREK MITSEL GE MENTO	Evel (#LAF MAC)
Seventor's eignétique	miory	<b></b>
Dete:8-10-95	Country of Ca	ivenship: U.S.A.
Residence: The Woodlands, Tena	<b>5</b>	· · · · · · · · · · · · · · · · · · ·
Post Office Address: 8 Wedgewood (	Sien. The Woodlands	. Texes 77581
Full name of third joint tovening, if may:		•
What where or supply and a supply of such .		• .
(Charleson)	Princis State of State	None Lieu Pal Marci
Inventor's signature:		
Date:		untry of Citizenskips
Kedderon		
Post Office Address:		

(Declaration and Power of Attorney - page 4 of 5)

## CHECK PROPER BUX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for fourth and subsequent joint inventors. Number of pages added:
	***
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	***
<b>X</b>	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added 1
	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).
٠,	***
	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.
	Number of pages added _1
	***
	Authorization of attorney(s) to accept and follow instructions from representative.
•	***
٠.	(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)
	☐ This declaration ends with this page.

BEST AVAILABLE COPY